

1 IN THE HOUSE

BY THE COMMITTEE ON WAYS AND MEANS

2

HOUSE BILL NO. 209

3

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4

TWENTY-THIRD SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the annual and sick
7 leave of Territorial officers and employees;
8 amending Section 11-5-6, ACLA 1949; and
9 declaring an emergency."

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BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

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Section 1. Section 11-5-6, ACLA 1949 is hereby amended to

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read as follows:

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Section 11-5-6. LEAVES OF ABSENCE. (a) Annual Leave.

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Territorial officers and employees shall be entitled to

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[TWO AND ONE-HALF (2½) WORKING DAYS] annual leave of absence

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with pay [FOR EACH MONTH OF SERVICE.] which shall accrue one

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working day for each full biweekly pay period. In case of an

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officer or employee who is not paid on the basis of biweekly

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pay periods, the annual leave shall accrue on the same basis

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as it would accrue if such officer or employee were paid on

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the basis of biweekly pay periods. Such leave may be taken by

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an officer or employee at any time business permits, and, in

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the case of an employee, upon permission by the head of the

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department, office or agency for which such person works, and

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if such leave is not used in full during any one year, it

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shall accumulate, provided that the total accumulation shall

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not exceed [SIXTY] fifty-two working days. Officers and

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employees with more than fifty-two days accrued annual leave

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on the effective date of this Act shall, by the end of the

1 Calendar year 1958, reduce the number of days accumulated in
2 excess of fifty-two. Terminal pay for unused leave shall be
3 allowed as a lump-sum upon separation from service. Such
4 N lump-sum payment shall equal the compensation that such
5 E officer or employee would have received had he remained in
6 W the service until the expiration of the period of such annual
7 leave. If such officer or employee is reemployed in the
8 M Territorial service prior to the expiration of the period
9 A covered by such leave payment, he or she shall refund to the
10 T employing agency an amount equal to the compensation covering
11 T the period between the date of reemployment and the expiration
12 E of such leave period. The leave represented by any such re-
13 R fund shall be reccredited to such officer or employee in the
14 employing agency in an amount equal to the amount represented
15 by the refund. Any amounts so refunded shall be deposited in
16 the Territorial Treasury to the credit of the appropriation
17 N established for the payment of terminal leave. The lump-sum
18 E payment herein authorized shall not be regarded as salary or
19 W compensation except for purposes of taxation. (b) Minimum
20 Length of Service. Notwithstanding the provisions of sub-
21 M section (a) of this Section, an officer or employee shall be
22 A entitled to annual leave under this Section only after having
23 T been employed currently for a continuous period of ninety
24 T days under one or more appointments without break in service.
25 E In any case in which an officer or employee completes a
26 R period of continuous employment of ninety days there shall be
27 credited to him or her an amount of annual leave equal to the
28 amount which, but for this subsection, would have accrued to
29 him or her under subsection (a) of this Section during such

1 period. [(b)] (c) Sick Leave. [CUMULATIVE] Territorial
2 officers and employees shall be entitled to sick leave with
3 pay, [AT THE RATE OF ONE AND ONE-QUARTER (1 $\frac{1}{4}$) DAYS PER MONTH,
4 SHALL BE CREDITED TO ALL TERRITORIAL EMPLOYEES,] which shall
5 accrue on the basis of one-half day for each full biweekly
6 pay period; the total accumulation not to exceed sixty days.
7 In case of an officer or employee who is not paid on the
8 basis of biweekly pay periods, the sick leave shall accrue
9 on the same basis as it would accrue if such officer or
10 employee were paid on the basis of biweekly pay periods.
11 No department, office or agency head shall grant sick leave
12 with pay unless he is satisfied that the absent employee was
13 actually sick, and, if the absence exceeds three consecutive
14 working days, a doctor's certificate showing such disability
15 shall be required; provided, however, that absences resulting
16 from illness or injury compensable under the Territorial
17 Workmen's Compensation Act shall not be covered by sick
18 leave with pay except under said Compensation Act. Further
19 provided that when some member of an officer's or employee's
20 family is afflicted with a contagious disease requiring the
21 care and attendance of such officer or employee, or where
22 such officer's or employee's presence in the office would
23 jeopardize the health of fellow employees and either of
24 such contingencies is supported by a doctor's certificate,
25 such officer or employee may avail himself of sick leave with
26 pay, within the limits prescribed by this Act, the same as if
27 he or she were personally ill. Upon his separation from
28 Territorial service, an officer's or employee's unused sick
29 leave shall be automatically cancelled without pay therefor.

1 ~~[(c)]~~ (a) Leave Records. ~~[AND TRANSFERS.]~~ Every department,
2 office, institution or agency shall keep for its files a
3 complete annual and sick leave record, covering each of its
4 employees, on forms prepared and supplied by the ~~[TERRITORIAL~~
5 ~~AUDITOR]~~ Director of Finance. ~~[WHEN SUCH CASES ARISE, ACCUMU-~~
6 ~~LATED ANNUAL AND SICK LEAVE SHALL TRANSFER WITH AN EMPLOYEE~~
7 ~~FROM ONE BRANCH OF THE TERRITORIAL SERVICE TO ANOTHER.]~~

8 (e) Transfers. When an officer or employee terminates
9 employment with one department, office, institution or agency
10 of the Territory and is employed by another department, office
11 institution or agency of the Territory without break in serv-
12 ice to the Territory his accumulated annual and sick leave
13 shall transfer with said officer or employee and be credited
14 to him in the employing department, office, institution or
15 agency. (f) Exemptions. School employees under the juris-
16 isdiction of the Territorial Board of Education shall be ex-
17 empted from the provisions of this Section. The annual and
18 sick leave of such employees shall be as established by the
19 rules and regulations of the Territorial Board of Education.
20 (g) Regulations. The Director of Finance shall issue regu-
21 lations for the uniform application of this Section.

22 Sec. 2. An emergency is hereby declared to exist and this
23 Act shall be in full force and effect from and after the date of
24 its passage and approval.
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